

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

**INTERNET MEDIA INTERACTIVE
CORPORATION,**

Plaintiff,

v.

THE GILLETTE COMPANY,

Defendant.

Civil Action No.:

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Internet Media Interactive Corporation (“IMIC”) makes the following claims for relief against Defendant The Gillette Company (“Gillette”) as follows:

NATURE OF LAWSUIT

1. This is a claim for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code § 1 et seq. This Court has exclusive jurisdiction over the subject matter of the Complaint under 28 U.S.C. §§ 1331 and 1338(a).

PARTIES AND PATENT

2. Plaintiff IMIC is a Delaware corporation with its principal place of business at 625 Barksdale Professional Center, Suite 113, Newark, Delaware 19711.

3. IMIC owns and has all right, title and interest in United States Patent No. 6,049,835 (“the ‘835 Patent”), entitled “System For Providing Easy Access To The World Wide Web Utilizing A Published List Of Preselected Internet Locations Together With Their Unique Multi-Digit Jump Codes,” which issued on April 11, 2000. Hence, IMIC has the exclusive right to license and enforce the ‘835 Patent and to collect damages for infringement. IMIC, thus, has standing to sue for infringement of the ‘835 Patent. A copy of the ‘835 Patent is attached as

Exhibit A. The '835 Patent is generally directed to a system and method for quickly and easily accessing preselected desired addresses or URLs on the Internet.

4. Gillette is a company organized under the laws of the State of Delaware with The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, Delaware 19801 as its registered agent. Gillette's principal place of business is at One Gillette Park, Boston, Massachusetts 02127. Gillette owns, provides and operates the website www.gillette.com and also distributes advertisements instructing recipients to enter a code.

JURISDICTION AND VENUE

5. IMIC's claim for patent infringement against Gillette arises under the patent laws of the United States including 35 U.S.C. §§271 and 281. Consequently, this Court has original subject matter jurisdiction over this suit pursuant to 28 U.S.C. §§1331 and 1338.

6. Gillette is subject to the specific personal jurisdiction of the Court because it is a Delaware corporation and, among other things, it has committed acts within Delaware and this judicial district giving rise to this action, and it has minimum contacts with the forum such that the exercise of jurisdiction over the Defendant would not offend traditional notions of fair play and substantial justice, as shown by, for example, by directing advertisements at residents of Delaware.

7. Venue is proper in this judicial district under 28 U.S.C. §§ 1391 and 1400(b).

DEFENDANT'S ACTS OF PATENT INFRINGEMENT

8. Gillette publishes ads with an assigned code, referred to as a "QR code."

9. For example, Gillette publishes the following ads containing a QR code in Men's Health magazine:



10. Upon information and belief, Gillette contracts with Scanbuy, Inc. to create the QR codes included in Gillette's ads.

11. A unique predetermined multi-digit jump code is encoded in the "QR codes" published by Gillette.

12. Each QR code corresponds to a preselected Internet location, including, for example, http://m.gillette.com/QR_Genesis and http://m.gillette.com/QR_Kate.

13. Each QR code published in the Gillette ads contains a predetermined Internet location like, for example, scn.by.

14. scn.by has software for capturing the multi-digit jump code.

15. By publishing the QR codes, Gillette induces users to scan the QR codes using a smartphone scanning application and thereby access the predetermined Internet location, scn.by.

16. After scn.by is accessed, the user, through use of a smartphone scanner application, enters the multi-digit jump code at scn.by.

17. Scanbuy, Inc. receives the jump code entered at the scn.by website.

18. Scanbuy, Inc. converts the jump code to a URL addresses corresponding to the Gillette website, such as http://m.gillette.com/QR_Genesis or http://m.gillette.com/QR_Kate.

19. Thereafter, Scanbuy, Inc. automatically accesses said Gillette websites.

20. Gillette has knowingly induced and continues to knowingly induce infringement of at least claim 11 of the '835 Patent within the meaning of 35 U.S.C. § 271(b) by contracting for services with Scanbuy, Inc., thereby inducing Scanbuy, Inc. to perform the steps of at least claim 11 of the '835 patent identified above, and, through advertisements, inducing users to perform any remaining steps of claim 11 of the '835 patent with a smartphone scanning application, as specified above.

21. Gillette has had knowledge of the '835 Patent since at least as early as July 11, 2013, when IMIC informed Gillette of its infringement by letter, and at least as of the filing date of this Complaint.

22. Such infringing activities have damaged IMIC. IMIC is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

23. Gillette's infringement has injured and will continue to injure IMIC, unless and until this Court enters an injunction prohibiting further infringement of the '835 Patent.

PRAYER FOR RELIEF

WHEREFORE, IMIC asks this Court to enter judgment against Gillette and against Gillette's subsidiaries, affiliates, agents, servants, employees and all persons in active concert or participation with them, granting the following relief:

- A. An award of damages adequate to compensate IMIC for the infringement that has occurred, together with prejudgment interest from the date infringement of the '835 Patent began;
- B. An award to IMIC of all remedies available under 35 U.S.C. § 284;
- C. An award to IMIC of all remedies available under 35 U.S.C. § 285;
- D. A permanent injunction under 35 U.S.C. § 283 prohibiting further infringement of the '835 Patent; and
- E. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

IMIC demands a trial by jury on all issues so triable.

Dated: December 23, 2013

Respectfully submitted,

Of Counsel:

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